

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

HOI MING MICHAEL HO, et al.,)	Civil Action No. 1:10-cv-07233 (GBD)
Others Similarly Situated,)	ECF Case
)	
Plaintiffs,)	<u>CLASS ACTION</u>
)	
-against-)	
)	
DUOYUAN GLOBAL WATER, INC.,)	
et al.,)	
Defendants.)	

**DEFENDANT CHRISTOPHER HOLBERT'S NOTICE OF MOTION TO DISMISS THE
CORRECTED AMENDED COMPLAINT AND MOTION TO STRIKE CERTAIN
IMPERMISSIBLE ALLEGATIONS**

PLEASE TAKE NOTICE that Defendant Christopher Holbert ("Mr. Holbert") hereby moves before the Honorable George B. Daniels, United States District Judge for the Southern District of New York, for an order granting Mr. Holbert's motions to (1) dismiss the Corrected Amended Complaint pursuant to Federal Rules of Civil Procedure 8, 9(b), and 12(b)(6); and (2) strike certain impermissible allegations from the Corrected Amended Complaint pursuant to Federal Rule of Civil Procedure 12(f).

The motions to dismiss and strike are based on this notice; the memorandum of law contemporaneously filed herewith by Mr. Holbert; the memorandum of law filed by Defendants Duoyuan Global Water, Inc. ("DGW"), Wenhua Guo ("Mr. Guo"), and Yuefeng Yu ("Mr. Yu") on November 22, 2011 (docket #118); the Declaration of Harry A. Woods, Jr., and exhibits referenced therein, filed on November 22, 2011 (docket #121); any subsequent reply memorandum filed by Mr. Holbert or DGW, Mr. Guo, and Mr. Yu in support of the motions; any other applicable memoranda of law filed by any defendant in this action; all other pleadings,

proceedings, or other material on file in this action; such matters and facts of which the Court may take judicial notice; and any arguments of counsel herein.

Dated: January 23, 2012

Respectfully submitted,

/s/Harry A. Woods, Jr. _____

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CERTIFICATE OF SERVICE

I, Harry A. Woods, Jr., hereby certify that on this 23rd day of January, 2012, I electronically transmitted the attached document to the Clerk of Court using the ECF System for filing. Based on the records currently on file, the Clerk of the Court will transmit a Notice of Electronic Filing to the following ECF registrants:

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